

CI 1533 R Cantwell

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Q1:

Improving existing framework. The current rating system is familiar to most Australians and to industry, and the benefits of any new system are likely to be outweighed by the confusion created by its introduction.

Q2:

To facilitate free speech, personal and parental choice, and artistic freedom.

Q3:

Absolutely not. In the context of continuing convergence between different forms of media (text, games, video, still art) online, any distinctions between media are almost certain to be rendered obsolete and exploitable, perhaps even before they are implemented.

Q4:

I believe that content should only be classified after a complaint. ACMA and other government agencies should, however, be proactive in making known classification expectations and encouraging content creators to liaise with community stakeholders before commercial release to avoid offending anyone. Awareness of the potential for commercial losses in the event of an unfavourable classification decision should be encouraged, too, to encourage cooperation.

Q5:

Potential impact should be judged from peer-reviewed journals on developmental psychology, rather than the opinions of a panicky few.

That said, content guidelines help parents to make decisions for their children, and classifying content in the same way across all media can only enhance parent's judgements about what is best for their children.

Q6:

Online, a small content producer (or individual) can "go viral" in a matter of days, so producer size is an unreliable guide to future viewing.

Q7:

Only in the case of complaints, but even then classification would be better as guidance or warnings rather than prohibition.

Q8:

Yes

Q9:

No, but it is reasonable that ACMA etc. should prioritize their limited resources for the content most likely to upset a larger number of persons.

Q10:

Content shown in a theater or cinema should be classified the same as for home viewing. Content visible to all passersby should be more cautious.

Q11:

- Any actual evidence of harm as published in reputable peer-reviewed journals.
- Whether members of the public are likely to be misled as to the nature of the content.
- Whether the content has meritorious artistic, scientific, news or political content that might justify a lower classification or wider distribution.

Q12:

Public education, and the provision of voluntary filters and training in their use, even if said training is just a youtube video. Lists of excluded sites in each filter should be publicly available to promote confidence in the system. Secret blacklists a la Iran and North Korea serve only to undermine public trust and promote rumours that political content is banned. These rumours cannot be publicly disproven if the lists are secret, and secrecy exposes the government to slander and criticism it cannot defend against (without making the lists public anyway).

Q13:

Educating parents and children as to the content that can be found, and how to avoid it. The diversity of content and of personal backgrounds interacts in different ways to cause offense - devout Muslims I know are more likely to encourage children to avoid content showing alcohol consumption, while other Australians may regard that as harmless. As a result of Australia's diversity, any one-size-fits-all

Q14:

Asking for parental consent forms for those who cannot prove they are 18+ would be a good start.

Q15:

Always if it is located within Australia

Q16:

Government agencies should provide information and educational materials for parents and children, Industry bodies should liaise with vocal community groups to better manage expectations and classifications.

Users should educate themselves and their children, and install filters if they feel they should.

Q17:

Absolutely, although exceptions should be made for innovative small content providers without the resources to comply with any substantial regulatory burden.

Q18:

Industry should conduct market research to better understand consumers information needs and what is likely to upset people.

If industry or an individual content provider feels that classification of their product will encourage better choice among consumers and their children, then they should act pro-actively to classify it and provide information about content to consumers.

Q19:

Given the number of small independent films and videoblogs produced, I feel the resources required could easily overwhelm a government agency, or worse, create a backlog and deny films the opportunity to be marketed in a timely manner.

No.

Q20:

Yes, the existing categories are generally understood, and have been around for decades with only small changes.

The only source of confusion is likely to be the lack of a R-rating for computer games. This denies parents and gamers the opportunity to make informed decisions about their or their children's media consumption. Given the ubiquity of R+ games internationally and online, the current ban is easily bypassed by anyone who can use eBay, and serves only to parody our legal system and appease a minority both ill-informed and unaffected by them.

Q21:

I think the current categories are well understood and should be preserved as much as possible.

Q22:

The existing system uses admirably standardized symbols. This is an excellent system, and should be preserved if possible.

Q23:

Absolutely, especially given the ongoing convergence between print, games, video and still art.

Q24:

I read online an essay on digital censorship allegedly by a child pornographer. His scornful attitude and detailed technical knowledge confirmed what I had suspected already - that the criminals will find and distribute this material anyway, and only the most intrusive technical barriers stand any chance of stopping even some of them. Simple filters and firewalls only make them more wary and harder to catch (but present an unacceptable risk of political censorship to the majority by future governments). Police monitoring of the less-sophisticated criminal material users, on the other hand, is more likely to lead to the big fish, and the less technical knowledge the unsophisticated user needs the easier he will be to follow.

Q25:

Given the secrecy surrounding the ACMA lists, I have no confidence that the guidelines have even been adhered to. Directing enforcement resources away from censorship and towards monitoring is likely to both improve law enforcement and protect freedom of speech.

Q26:

Consistency is valuable, but if individual state governments feel a compelling need to enact their own classifications then they should be allowed to.

Q27:

No, I think that while the current system may be unwieldy, it expresses our federal system well.

Q28:

No.

Q29:

Increased recognition of "pornography addictions" and similar compulsive disorders, and improved access to treatment. This will both improve outcomes for sufferers, and reduce the pressure on free speech and on governments from those who fear they cannot control themselves and would like government to ban things for everyone.

Other comments: